

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
April 7, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright, Martinez

ABSENT: Myers, R. Valadez, Gray

Chairman Gadberry stated Zoning Case No. Z2009058 CD has been withdrawn as per the applicant's request.

3. Approval of March 17, 2009 Zoning Commission Minutes.

COMBINED HEARING:

Commissioner Wright made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 6, 7, 11, 14, 15 and 20. The motion was seconded by Commissioner Sherrill.

4. **ZONING CASE NUMBER Z2009048 (Council District 3):** A request for a change in zoning from "R-6" Residential Single-Family District to "NC" Neighborhood Commercial District on the north 48 feet of Lot 3 and the north 8 feet of Lot A, Block 1, NCB 3267, 222 Pleasanton Road. Staff recommends approval.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 17 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009050 (Council District 5): A request for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on 0.377 acres out of NCB 8785, 227 South US Highway 81. Staff recommends approval pending Plan Amendment.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Quintana Community Neighborhood Association. Staff mailed 48 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2009064 S (Council District 3): A request for a change in zoning from "MI-1" Mixed Light Industrial District to "MI-1 S" Mixed Light Industrial District with a Specific Use Authorization for an Animal Racetrack on 39.413 acres out of CB 4005, 11740 South Zarzamora Street. Staff recommends approval with the following conditions:

1. All on-site lighting shall be directed onto the site and point away from adjoining properties using 90 degree or less cut-off fixtures.
2. Racetrack uses shall be limited to training events; competitive events involving cash or material prizes shall be prohibited.
3. The racetrack shall be limited to equestrian uses only; all other animal racing shall be prohibited.
4. All betting shall be prohibited.
5. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 10:00 p.m.

Staff stated there were 4 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 81 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2009069 (Council District 6): A request for a change in zoning from "MF-33" Multi-Family District to "R-5" Residential Single-Family District on Lots 13 and 14, Block 32, NCB 8070, 918 Patton Boulevard. Staff recommends approval.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Greater Guadalupe Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Wright, Martinez
NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2009070 (Council District 7): A request for a change in zoning from "O-1" Office District to "R-5" Residential Single-Family District on a 2.777 acre tract of land out of NCB 17948, 8500 Block of Bristlecone Drive. Staff recommends approval pending Plan Amendment.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 11 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Wright, Martinez
NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2009075 CD (Council District 1): A request for a change in zoning from "H C-2" Commercial, King William Historic District to "H C-2 CD" Commercial, King William Historic District with a Conditional Use for auto sales (motor scooter sales) on Lots 11 and Lot 12, Block 2, NCB 2877, 1315 South St. Mary's Street. Staff recommends approval with conditions.

Peter Muzquiz, representative, stated the purpose of this request is to allow for a motor scooter sales facility. He stated he is agreeable with staff's condition of no outdoor storage or display of merchandise shall be permitted and after meeting with the surrounding property owners and he has agreed to on 2 additional conditions: a. hours of operation till 8 pm and block existing driveway to prohibit citizen from congregating on the property after hours. He stated their hours of operation would be Monday thru Saturday 10 am till 6 pm. however during summertime he would like to extend his hours till 8 pm.

The following citizen(s) appeared to speak:

Sidra Maldonado, representing the surrounding property owners, stated they are in support of this request and are agreeable with staff's conditions and the 2 additional conditions as stated by Mr. Muzquiz.

Staff stated there were 35 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Lavaca Neighborhood Association and King William Neighborhood Association is in favor and . Staff mailed 120 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

Commissioner Westheimer arrived at 1:25 pm.

INDIVIDUAL CONSIDERATION:

10. ZONING CASE NUMBER Z2009057 S (Council District 3): A request for a change in zoning from "R-4" Residential Single Family District to "C-2 S" Commercial District with a Specific Use Authorization for a Hotel on 1.3699 acres out of Lots 31 and 32, Block 5, NCB 10937, 644 Avondale Avenue. Staff recommends approval pending Plan Amendment.

Pat Burch, representative, stated the purpose of this request is to allow for a hotel on the subject property. He stated he has met with the surrounding neighborhood association who have submitted letters of support.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition, 0 returned in favor and no response from Highland Hills Neighborhood Association. Staff mailed 63 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Martinez to recommend approval pending Plan Amendment.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2009061 (Council District 4): A request for a change in zoning from "C-3" General Commercial District and "MR" Military Reservation District to "MF-18" Multi-Family District (16.47 acres) and "C-3" General Commercial District (2.498 acres) on 18.968 acres out of NCB 15655, 4770 West Military Drive. Staff recommends denial.

Andy Guerrero, representative, stated he would like to request a 30-day continuance to address issues raised by the surrounding property owners.

The following citizen(s) appeared to speak:

Gabe Gonzales, stated he is in opposition of this request. He expressed concerns with the noise decibels and does not support a continuance.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Wright to recommend a continuance until May 5, 2009.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2009073 S (Council District 6): A request for a change in zoning from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization to allow a cabinet shop on Lots 14 and 15, Block 12, NCB 16522, 6402 and 6406 Tahoka Boulevard. Staff recommends denial.

Applicant/Representative not present.

Staff stated there were 27 notices mailed out to the surrounding property owners, 1 returned in opposition and 5 returned in favor and Cable Westwood Neighborhood Association is in opposition.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Hawkins to recommend a continuance until April 21, 2009.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright, Martinez

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2009067 (Council District 7): A request for a change in zoning from multiple zoning districts to multiple zoning districts to add the Jefferson Neighborhood Conservation District-7 on multiple lots generally bound by Babcock Road to the north; Wilson Boulevard and Kampmann Boulevard to the east; West Woodlawn Street to the south; and Saint Cloud Road to the west. Staff recommends approval.

Gary Edenburn, Senior Planner, presented item.

The following citizen(s) appeared to speak:

Alejandro Soto, spoke in favor.

Antoinette Cadena, spoke in favor.

Pat Hardy, spoke in favor.

Bianca Maldonado, spoke in favor.

Elia Reyna, spoke in favor.

Judy Jackman, spoke in favor.

George De La Garza, spoke in favor.

Mary Gene Reyna, spoke in favor.

Jeffery Chlader, spoke in opposition.

Staff stated there were 1,665 notices mailed out to the surrounding property owners, 23 returned in opposition and 33 returned in favor and Jefferson and Monticello Park Neighborhood Association are in favor. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner McFarland to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins

NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2009068 (Council District 2): A request for a change in zoning from "R-5" Residential Single Family District to "RM-5" Residential Mixed District on 0.276 of an acre out of A-32, NCB 10615, 4655 Lord Road.. Staff recommends denial.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Vivian Olivares, spoke in opposition.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Dellcrest Area Neighborhood Association is in favor and staff received emails expressing some concerns from Eastern Triangle Community Team Members.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Sherrill to recommend denial.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2009071 (Council District 1): A request for a change in zoning from "MF-33" Multi-Family District to "C-3" General Commercial District on Lots D and E, Block 21, NCB 2084, 918 Culebra Road. Staff recommends denial.

Rene Morales, representative, stated he would like to amend his request to "O-1". He stated he is proposing office use.

The following citizen(s) appeared to speak:

Daniel Monreal, representing Gardendale Neighborhood Association, stated they are in support.

Staff stated there were 29 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Gardendale Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend to approval of "O-1".

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins

NAY: None

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2009072 S (Council District 10): A request for a change in zoning from "MF-33" Multi-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization for Licensed Child Care on Lot 13, Block 17, NCB 16410, 15043 Kamary Lane. Staff recommends approval with conditions.

Laura Price, owner, stated the purpose of this request is to allow for a licensed day care center on the subject property. She stated she is agreeable with conditions as stated by staff.

The following citizen(s) appeared to speak:

Carmen Totoris, spoke in favor.

Staff stated there were 32 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Spring Creek Neighborhood Alliance. Staff received 2 letters and a petition with 25 signatures expressing support.

COMMISSION ACTION

The motion was made by Commissioner McFarland and seconded by Commissioner Wright to recommend approval.

AYES: Gadberry, McFarland, Westheimer, Sherrill, Wright

NAY: J. Valadez, Hawkins

THE MOTION FAILS

Commissioner Wright stated due to not all commissioners being presented she would like ask if the applicant would be agreeable to a continuance.

Laura Price, stated she would support a continuance.

2ND MOTION

COMMISSION ACTION

The motion was made by Commissioner McFarland and seconded by Commissioner Westheimer to recommend a continuance until April 21, 2009.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright

NAY: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2009074 (Council District 5): A request for a change in zoning from “MF-33” Multi-Family District and “I-1” General Industrial District to “C-1” Light Commercial District on 3.9626 acres out of NCB 8324, 5317 West Commerce Street. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Rosie Romo, stated she is unclear of what if any effect this may have on her property.

Staff stated there were 71 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor

COMMISSION ACTION

The motion was made by Commissioner McFarland and seconded by Commissioner Wright to recommend a continuance until April 21, 2009.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright

NAY: None

THE MOTION CARRIED.

18. Consideration and recommendation on an amendment to the Unified Development Code that would create a new zoning district: “G” Golf Course District.

Chris Looney, Planning Manager, presented item.

The following citizen(s) appeared to speak:

Mike Gallagher, representing Northern Hill Neighborhood Association, spoke in favor.

David Jentsch, spoke in favor.

Robert Wilmore, spoke in favor. 14111 Fair Way Oaks

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Westheimer to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright

NAY: None

THE MOTION CARRIED

19. Discussion and possible action regarding the postage-paid return cards currently included within the notices mailed to owners of property within 200 feet of a rezoning request.

Chris Looney, Planning Manager, presented item.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend denial.

(A verbal vote was taken)

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Hawkins, Wright

NAY: None

THE MOTION CARRIED

20. Director's Report – Update on Neighborhood Plans

Nina Nixon-Mendez, Planning Manger, briefed Commission on item.

21. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:49 p.m.

APPROVED:

A handwritten signature in cursive script, appearing to read "Don Gadberry".

Don Gadberry, Chairman

ATTEST:

A handwritten signature in cursive script, appearing to read "J. Lopez".

Executive Secretary